

DOCKET NO. 9491-033-27



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

RE APPLICATION OF: BRIAN M. FENDLY, ET AL.

ART UNIT: 1645

SERIAL NO.: 08/948,149

EXAMINER: SWARTZ, R.P.

FILING DATE: OCTOBER 9, 1997

FOR: ANTI-ErbB2 ANTIBODIES

**REQUEST FOR EXTENSION OF TIME UNDER 37 C.F.R. 1.136**

ASSISTANT COMMISSIONER FOR PATENTS  
PO BOX 1450  
ALEXANDRIA, VA 22313-1450

**RECEIVED**

**MAR 01 2004**

SIR:

It is hereby requested that a ☐ one ☐ two ☐ three ☐ four ☒ five

☐ second ☐ third ☐ fourth ☐ fifth (a \_\_\_\_-month extension and fee having been filed on \_\_\_\_\_)

month extension of time be granted to February 25, 2004 for:

- ☐ filing a response to the Official Action dated:
- ☐ responding to the requirements in the Notice of Allowability dated:
- ☐ filing the Formal Drawings. The Issue Fee due \_\_\_\_\_ has been timely filed.
- ☐ responding to the Notice to File Missing Parts of Application dated:
- ☐ filing a Notice of Appeal. A timely response to the final rejection, due \_\_\_\_\_ has been filed.
- filing an Appeal Brief. A Notice of Appeal was filed on July 25, 2003.
- ☒ A Request For Continued Examination (RCE) is being filed concurrently herewith.

☐

The required fee of \$2,010.00 is enclosed herewith by check and any further charges may be made against the Attorney of Record's Deposit Account No. 50-1442. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

PIPER RUDNICK LLP

Feb 25, 2004  
Date

[Signature]  
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